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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/350,144	07/09/1999	KAZUNORI TAKAHASHI	21.1935	7639

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STAAS & HALSEY LLP  
SUITE 700  
1201 NEW YORK AVENUE, N.W.  
WASHINGTON, DC 20005

EXAMINER

CHEVALIER, ROBERT

ART UNIT PAPER NUMBER

2616

DATE MAILED: 10/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/350,144	<b>Applicant(s)</b> TAKAHASHI, KAZUNORI	
	<b>Examiner</b> Bob Chevalier	<b>Art Unit</b> 2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 11 October 2005.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1,3-6,13,15-18,25,27-29,31,32,37,38,40,41,46,47 and 49 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☒ Claim(s) 1,13,25,28,29,37,38,46 and 47 is/are allowed.  
6) ☒ Claim(s) 3,6,15,17,18,27,31,40 and 49 is/are rejected.  
7) ☒ Claim(s) 4,5,16,32 and 41 is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 09 July 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

***Response to Arguments***

1. Applicant's arguments with respect to claims 3, 6, 15, 18, 27, 31, 40, and 49, have been considered but are moot in view of the new ground(s) of rejection. Upon further consideration, a new ground(s) of rejection is made in view of the newly found reference.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 3, 6, 15, 17-18, 27, 31, 40, and 49, are rejected under 35 U.S.C. 102(b) as being anticipated by Ryan.

Ryan discloses a video recording/reproducing apparatus that shows all the limitations recited in claims 3, 15, and 27, including the feature of the storage device recording screen information of picture information (See Ryan's Figure 1, component 10), the feature of detecting copy guard signal indicating a copy prohibition in the inputted video signal (See Ryan's Figure 1, components 32, and 54), and the feature of processing and storing to the storage device both the digitized screen information of the picture information and the fact of the detection of the copy guard signal as specified in the present claims 3, 15, and 27. (See the capability of recording on the recording medium both the digitized video signal and the copy guard signal added to the digitized

video on the recording medium as specified in Ryan's Figure 1, components 60, and 10, and column 7, lines 41-54).

With regard to claims 6, 18, the feature of the video encoding circuit adding a copy guard signal to the output of screen information stored at the storage device, encoding and outputting the video signal as specified thereof is present in Ryan. (See Ryan's Figure 1, components 46, and 50, and 24).

With regard to claim 17, the feature of preventing outputting of the video signal in the case where an output screen information stored at the storage device is ordered as specified thereof would be present in the cited reference Ryan. Since, Ryan discloses the capability of preventing recording of the video signal played back from the recording means on a second recording means when copy protection signal is detected from said played back video signal.

With regard to claims 31, 40, and 49, the feature of the picture information being displayable on a screen of a display device without deterioration both when the copy guard signal is not detected and the detected copy guard signal indicates copying prohibition as specified thereof would be present in the cited reference of Ryan. Since Ryan discloses the capability of outputting the video signal on a display set at any desired time. (See Ryan's Figure 1, components 24, and 42, and further, see Ryan's column 4, lines 36-38).

4. Claims 1, 13, 25, 28-29, 37-38, 46-47, contain allowable subject matter over the prior art of record.

Art Unit: 2616

5. Claims 4-5, 16, 32, 41, are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.


***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bob Chevalier whose telephone number is 571-272-7374. The examiner can normally be reached on MM-F (9:00-6:30), second Monday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Groody can be reached on 571-272-7950. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

B. Chevalier  
October 25, 2005.

  
ROBERT CHEVALIER  
PRIMARY EXAMINER